

# Exhibit D

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**From:** Oliver Richards  
**Sent:** Tuesday, December 26, 2023 12:46 PM  
**To:** Rahebi, Bita; David Barkan; Laris, Elsa G.; Chris Marchese; Taylor Burgener; Adam Shartzer; Ruffin Cordell; Richard Sterba; Ralph A. Phillips; Michael Ballanco; Ashley Bolt; John-Paul Fryckman  
**Cc:** MoFo\_MaxLinear  
**Subject:** RE: Entropic Communications LLC v. Dish Network Corporation, Case No. 23-cv-1043 - letter from Rahebi to Barkan - Contains AEO

Bita,

I wanted to touch base with you about two things relating to the motion MaxLinear filed last Friday.

First, can you confirm that the motion and exhibits contain only Dish confidential information and may be shared with the client?

Second, Dish California will be filing an ex parte application to extend the time for Dish California to amend its counterclaims and/or respond to MaxLinear's motion. As you likely saw, Entropic agreed to extend the time for Entropic to respond to the counterclaims. As we previously explained to you, we believe that it will be most efficient for the Court to decide any motion to dismiss after the pending venue motions are decided. Moreover, now that Entropic has agreed to extend the time for its response, we believe it would be more efficient for the Court to consider potential motions to dismiss filed by Entropic at the same time as the motion filed by MaxLinear. Our ex parte application will ask the Court to set the same schedule laid out in the stipulation between Entropic and Dish California.

We anticipate filing the ex parte application by the end of the week. Please let me know when you all are available to meet and confer regarding the ex parte application.

Very Best,  
Oliver

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**From:** Rahebi, Bita <BRahebi@mofo.com>  
**Sent:** Thursday, December 21, 2023 2:28 PM  
**To:** Oliver Richards <orichards@fr.com>; David Barkan <Barkan@fr.com>; Laris, Elsa G. <ELaris@mofo.com>; Chris Marchese <marchese@fr.com>; Taylor Burgener <burgener@fr.com>; Adam Shartzer <shartzer@fr.com>; Ruffin Cordell <RBC@fr.com>; Richard Sterba <Sterba@fr.com>; Ralph A. Phillips <RPhillips@fr.com>; Michael Ballanco <bballanco@fr.com>; Ashley Bolt <bolt@fr.com>; John-Paul Fryckman <Fryckman@fr.com>  
**Cc:** MoFo\_MaxLinear <MoFo\_MaxLinear@mofo.com>  
**Subject:** RE: Entropic Communications LLC v. Dish Network Corporation, Case No. 23-cv-1043 - letter from Rahebi to Barkan - Contains AEO

Oliver,

Thank you for your email. We have already drafted the motion and we will proceed with the filing tomorrow. We look forward to hearing from David after his vacation as we do not believe the claims against MaxLinear should continue.

Happy holidays to you and your team.

Bita

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**From:** Oliver Richards <[orichards@fr.com](mailto:orichards@fr.com)>  
**Sent:** Thursday, December 21, 2023 2:19 PM  
**To:** Rahebi, Bita <[BRahebi@mofo.com](mailto:BRahebi@mofo.com)>; David Barkan <[Barkan@fr.com](mailto:Barkan@fr.com)>; Laris, Elsa G. <[ELaris@mofo.com](mailto:ELaris@mofo.com)>; Chris Marchese <[marchese@fr.com](mailto:marchese@fr.com)>; Taylor Burgener <[burgener@fr.com](mailto:burgener@fr.com)>; Adam Shartzner <[shartzner@fr.com](mailto:shartzner@fr.com)>; Ruffin Cordell <[RBC@fr.com](mailto:RBC@fr.com)>; Richard Sterba <[Sterba@fr.com](mailto:Sterba@fr.com)>; Ralph A. Phillips <[RPhillips@fr.com](mailto:RPhillips@fr.com)>; Michael Ballanco <[ballanco@fr.com](mailto:ballanco@fr.com)>; Ashley Bolt <[bolt@fr.com](mailto:bolt@fr.com)>; John-Paul Fryckman <[Fryckman@fr.com](mailto:Fryckman@fr.com)>  
**Cc:** MoFo\_MaxLinear <[MoFo\\_MaxLinear@mofo.com](mailto:MoFo_MaxLinear@mofo.com)>  
**Subject:** RE: Entropic Communications LLC v. Dish Network Corporation, Case No. 23-cv-1043 - letter from Rahebi to Barkan - Contains AEO

**External Email**

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Bita,

Just following up on my email below. Please let me know whether MaxLinear is amenable to an extension as I have outlined below.

Very Best,  
Oliver

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**From:** Oliver Richards  
**Sent:** Tuesday, December 19, 2023 6:34 PM  
**To:** 'Rahebi, Bita' <[BRahebi@mofo.com](mailto:BRahebi@mofo.com)>; David Barkan <[Barkan@fr.com](mailto:Barkan@fr.com)>; Laris, Elsa G. <[ELaris@mofo.com](mailto:ELaris@mofo.com)>; Chris Marchese <[marchese@fr.com](mailto:marchese@fr.com)>; Taylor Burgener <[burgener@fr.com](mailto:burgener@fr.com)>; Adam Shartzner <[shartzner@fr.com](mailto:shartzner@fr.com)>; Ruffin Cordell <[RBC@fr.com](mailto:RBC@fr.com)>; Richard Sterba <[Sterba@fr.com](mailto:Sterba@fr.com)>; Ralph A. Phillips <[RPhillips@fr.com](mailto:RPhillips@fr.com)>; Michael Ballanco <[ballanco@fr.com](mailto:ballanco@fr.com)>; Ashley Bolt <[bolt@fr.com](mailto:bolt@fr.com)>; John-Paul Fryckman <[Fryckman@fr.com](mailto:Fryckman@fr.com)>  
**Cc:** MoFo\_MaxLinear <[MoFo\\_MaxLinear@mofo.com](mailto:MoFo_MaxLinear@mofo.com)>  
**Subject:** RE: Entropic Communications LLC v. Dish Network Corporation, Case No. 23-cv-1043 - letter from Rahebi to Barkan - Contains AEO

Bita,

I am responding on behalf of David Barkan as he is on vacation this week. We are in receipt of your letter and are preparing a fulsome response. However, as your issues appear to arise out of Dish California's assertion of FRAND-related counterclaims—issues which may be resolved once the other Dish defendants become part of the case—we believe any motion to dismiss would be

most efficiently decided after Dish's venue motion is decided. Moreover, your letter raises other issues that may be cured through amendment of Dish California's counterclaims—potential amendments that we would need additional time to consider. As such, we believe it would be mutually beneficial to seek an extension of time for MaxLinear and Entropic to answer or otherwise respond to Dish's counterclaim complaint until after the Court decides the pending venue motion. More specifically, we would propose that MaxLinear's deadline to answer or otherwise respond be extended to 21 days after all Dish entities answer and file counterclaims. In addition to allowing the Court to decide these issues in light of all of the parties, this would allow MaxLinear and Entropic to only have to respond to these counterclaims once.

Please let us know whether MaxLinear is amenable to such an extension or whether you would like to discuss further.

Very Best,  
Oliver

**Oliver Richards :: Principal :: Fish & Richardson P.C.**  
858 678 4715 direct :: 619 630 8453 mobile :: [ojr@fr.com](mailto:ojr@fr.com)

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**From:** Rahebi, Bita <[BRahebi@mofo.com](mailto:BRahebi@mofo.com)>  
**Sent:** Monday, December 18, 2023 3:02 PM  
**To:** David Barkan <[Barkan@fr.com](mailto:Barkan@fr.com)>; Laris, Elsa G. <[ELaris@mofo.com](mailto:ELaris@mofo.com)>; Chris Marchese <[marchese@fr.com](mailto:marchese@fr.com)>; Taylor Burgener <[burgener@fr.com](mailto:burgener@fr.com)>; Adam Shartzner <[shartzner@fr.com](mailto:shartzner@fr.com)>; Ruffin Cordell <[RBC@fr.com](mailto:RBC@fr.com)>; Oliver Richards <[orichards@fr.com](mailto:orichards@fr.com)>; Richard Sterba <[Sterba@fr.com](mailto:Sterba@fr.com)>; Ralph A. Phillips <[RPhillips@fr.com](mailto:RPhillips@fr.com)>; Michael Ballanco <[ballanco@fr.com](mailto:ballanco@fr.com)>; Ashley Bolt <[bolt@fr.com](mailto:bolt@fr.com)>; John-Paul Fryckman <[Fryckman@fr.com](mailto:Fryckman@fr.com)>  
**Cc:** MoFo\_MaxLinear <[MoFo\\_MaxLinear@mofo.com](mailto:MoFo_MaxLinear@mofo.com)>  
**Subject:** RE: Entropic Communications LLC v. Dish Network Corporation, Case No. 23-cv-1043 - letter from Rahebi to Barkan - Contains AEO

Hi David,

Confirmed. It references the Dish/EchoStar Promoter agreement produced by Dish.

Best,  
Bita

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**From:** David Barkan <[Barkan@fr.com](mailto:Barkan@fr.com)>  
**Sent:** Monday, December 18, 2023 2:58 PM  
**To:** Laris, Elsa G. <[ELaris@mofo.com](mailto:ELaris@mofo.com)>; Chris Marchese <[marchese@fr.com](mailto:marchese@fr.com)>; Taylor Burgener <[burgener@fr.com](mailto:burgener@fr.com)>; Adam Shartzner <[shartzner@fr.com](mailto:shartzner@fr.com)>; Ruffin Cordell <[RBC@fr.com](mailto:RBC@fr.com)>; Oliver Richards <[orichards@fr.com](mailto:orichards@fr.com)>; Richard Sterba <[Sterba@fr.com](mailto:Sterba@fr.com)>; Ralph A. Phillips <[RPhillips@fr.com](mailto:RPhillips@fr.com)>; Michael Ballanco <[ballanco@fr.com](mailto:ballanco@fr.com)>; Ashley Bolt <[bolt@fr.com](mailto:bolt@fr.com)>; John-Paul Fryckman <[Fryckman@fr.com](mailto:Fryckman@fr.com)>; David Barkan <[Barkan@fr.com](mailto:Barkan@fr.com)>; Rahebi, Bita <[BRahebi@mofo.com](mailto:BRahebi@mofo.com)>  
**Cc:** MoFo\_MaxLinear <[MoFo\\_MaxLinear@mofo.com](mailto:MoFo_MaxLinear@mofo.com)>

**Subject:** RE: Entropic Communications LLC v. Dish Network Corporation, Case No. 23-cv-1043 - letter from Rahebi to Barkan - Contains AEO

**External Email**

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Dear Bita,

Please confirm that the only confidential information in your letter is Dish's and therefore we may share the letter with our client.

Best regards,

David

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**David Barkan ::** Fish & Richardson P.C. :: 650 839 5065

**From:** Laris, Elsa G. <[Elaris@mofo.com](mailto:Elaris@mofo.com)>

**Sent:** Friday, December 15, 2023 4:31 PM

**To:** David Barkan <[Barkan@fr.com](mailto:Barkan@fr.com)>; Chris Marchese <[marchese@fr.com](mailto:marchese@fr.com)>; Taylor Burgener <[burgener@fr.com](mailto:burgener@fr.com)>; Adam Shartzner <[shartzner@fr.com](mailto:shartzner@fr.com)>; Ruffin Cordell <[RBC@fr.com](mailto:RBC@fr.com)>; Richard Sterba <[Sterba@fr.com](mailto:Sterba@fr.com)>; Ralph A. Phillips <[RPhillips@fr.com](mailto:RPhillips@fr.com)>; Michael Ballanco <[ballanco@fr.com](mailto:ballanco@fr.com)>; Ashley Bolt <[bolt@fr.com](mailto:bolt@fr.com)>; John-Paul Fryckman <[Fryckman@fr.com](mailto:Fryckman@fr.com)>

**Cc:** MoFo\_MaxLinear <[MoFo\\_MaxLinear@mofo.com](mailto:MoFo_MaxLinear@mofo.com)>

**Subject:** Entropic Communications LLC v. Dish Network Corporation, Case No. 23-cv-1043 - letter from Rahebi to Barkan - Contains AEO

[This email originated outside of F&R.]

Dear Counsel:

Please see attached sent on behalf of Bita Rahebi.

Regards,

**Elsa Laris**  
Legal Secretary  
[elaris@mofo.com](mailto:elaris@mofo.com)  
T+1 (213) 892-5391

Morrison Foerster  
707 Wilshire Boulevard  
Los Angeles, CA 90017-3543



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